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STATE OF CALIFORNIA

WATER RESOURCES CONTROL BOARD DIVISION OF DRINKING WATER

TO:

Golden Hills Community Services District Water System

P.O. Box 637

Tehachapi, CA 93581

Attn:

William Fisher, General Manager

Golden Hills Community Services District

CERTIFIED MAIL

CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1(b)(2) - WATER SYSTEM NO. 1510045

May 2015

CITATION NO. 03-19-15C-009

Issued on July 17, 2015

STATEMENT OF FACTS

Golden Hills Community Services District (CSD) Water System (hereinafter Water System) is classified as a community Water System and serves a population of approximately 8692 persons through 2802 service connections. Domestic water supply is provided to seven pressure zones by twelve groundwater wells. Three pressure zones are gravity fed via storage tanks, and the other four pressure zones are pressurized via hydropneumatic tanks and booster pumps. There are eight storage tanks with a combined storage capacity of 3.75 MG. Continuous chlorination treatment is provided by injecting sodium hypochlorite at each of the well's discharge lines. Also, blending treatment is provided to the water produced by Well C for arsenic MCL compliance.

Golden Hills Community Services District operates the Water System under the authority of Permit Number 03-92-028, issued on December 23, 1992, and four Permit Amendments issued as follows; Permit Amendment Number 03-95-000, issued on March 16, 1995, Permit Amendment Number 03-12-96P-000 issued, on October 24, 1996, Permit Amendment Number 03-12-99PA-010, issued on September 28, 1999, and Permit Amendment Number 03-19-11PA-005, issued on November 22, 2011. Considering the number of permit amendments issued, the Division plans to issue a new domestic water supply permit to the District in the future.

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to Golden Hills CSD Water System (mailing address: P. O. Box 637, Tehachapi, CA 93581) for violation of California Code of Regulations (CCR), Title 22, Section 64426.1 subsection (b)(2).

- The Water System collects three (3) routine distribution system bacteriological samples per week.
- All nine (9) routine bacteriological samples collected on May 4, May 11, and
 May 18, 2015, tested negative for total coliform bacteria.
- Three (3) routine bacteriological quality samples collected on May 28, 2015,
 from the distribution system tested positive for total coliform bacteria.

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- All nine (9) repeat bacteriological quality samples collected on June 1, 2015,
 from the distribution system, tested negative for total coliform bacteria.
- As part of the Ground Water Rule's triggered source sampling requirement, twelve (12) bacteriological samples (two from each well-before and after the chlorination injection point) collected on June 1, 2015, from each of the six wells in use during the month of May 2015, (V Well, S-2 Well, Morris Well, Iriart Well, A Well and D Well), tested negative for total coliform bacteria.
- Golden Hills CSD Water System failed the total coliform maximum contaminant level (MCL) for May 2015 [Section 64426.1(b)(2), Authorities].
- On June 1, 2015, Tyler Napier, Operations Manager for the Water System, notified the Division by telephone that the Water System failed the total coliform MCL for May 2015.
- On June 5, 2015, a public notice and Certification of Completion of Public Notification were emailed to the Water System for the May 2015 total coliform MCL failure.
- On June 9, 2015, the Division received signed and dated copies of the Certification of Completion of Public Notification and the public notice. According to these documents, public notification was completed on June 9, 2015.
- On June 10, 2015, an investigation report was emailed to the Water System, for the May 2015 total coliform MCL failure.
- On June 24, 2015, the Division received a completed copy of the investigation report. According to the investigation report, a possible cause of the total coliform positive samples was described as sampling error and/or contaminated bottles.

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- In June 2015, all twelve (12) routine bacteriological samples collected from the distribution system, tested negative for total coliform bacteria.
- Results of all (source and distribution) bacteriological samples collected from January 2015 to June 2015 are summarized in **Attachment A**.

AUTHORITIES

Section 116577 of the CHSC, states in relevant part:

- "(a) Each public water system shall reimburse the Division for the actual costs incurred by the Division for any of the following enforcement activities related to that water system:
 - (1) Preparing, issuing, and monitoring compliance with, an order or citation.
 - (2) Preparing, and issuing public notification
- (b) The Division shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the Division. The costs set forth in the invoice shall not exceed the total actual costs to the Division of the enforcement activities specified in this section."...

Section 116650 of the California Health and Safety Code (hereinafter CHSC), states in relevant part:

- "(a) If the Division determines that a public water system is in violation of this chapter or any regulation, permit, standard, or order issued or adopted thereunder, the Division may issue a citation to the public water system. The citation shall be served upon the public water system personally or by registered mail.
- (b) Each citation shall be in writing and shall describe with particularity the nature of the violation, including a reference to the statutory provision, standard, order, or regulation alleged to have been violated.
- (c) For continuing violations, the citation shall fix the earliest feasible time for elimination or correction of the condition constituting the violation where appropriate. If the public water system fails to correct a violation within the time specified in the citation, the Division may assess a civil penalty as specified in subdivision (e).
- (d) For a noncontinuing violation of primary drinking standards, the Division may assess in the citation a civil penalty as specified in subdivision (e).
- (e) Citations issued pursuant to this section shall be classified according to the nature of the violation or the failure to comply. The Division shall specify the classification in the citation and may assess civil penalties for each classification as follows:
 - (1) For violation of a primary drinking standard, an amount not to exceed one thousand dollars (\$1,000) per day for each day that the violation occurred, including each day that the violation continues beyond the date specified for correction in the citation or order.
 - (2) For failure to comply with any citation or order issued for violation of a secondary drinking water standard that the director determines may have a direct or immediate relationship to the welfare of the users, an amount not to exceed one thousand dollars (\$1,000) for each day that the violation continues beyond the date specified for correction in the citation or order.
- (3) For failure to comply with any citation or order issued for noncompliance with any Division regulation or order, other than a primary or secondary drinking water standard, an amount not to exceed two hundred dollars (\$200) per day for each day the violation continues beyond the date specified for correction in the citation."

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Section 116655 of the CHSC, states in relevant part:

- "(a) Whenever the Division determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:
 - (1) Directing compliance forthwith.
 - (2) Directing compliance in accordance with a time schedule set by the Division.
 - (3) Directing that appropriate preventative action be taken in the case of a threatened violation.
- (b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:
 - (2) That purification or treatment works be installed."

California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

Monthly Population Served	Service Connections	Minimum Number of Samples
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

- "(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the Division or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.
- (b) A public water system is in violation of the total coliform MCL when any of the following occurs:
 - (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
 - (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
 - (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
 - (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.
- (c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the Division by the end of the business day on which this is determined, unless the determination occurs after the Division office is closed, in which case the supplier shall notify the Division within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice

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shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1."

DETERMINATIONS

Based upon the above Statement of Facts and Authorities, the Division has determined that the Golden Hills CSD Water System has violated the following:

1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated the total coliform MCL for May 2015, when more than one sample collected in May 2015, tested positive for total coliform bacteria.

The above violation is classified as a non-continuing violation.

DIRECTIVES

Golden Hills CSD Water System is hereby directed to take the following actions:

- 1. Cease and desist from failing to comply with Section 116555(a) of the California Health and Safety Code (CHSC) and Section 64426.1(b)(2), of Title 22, California Code of Regulations.
- 2. The Water System shall reimburse the Division, in accordance with an invoice that shall be provided to the Water System, the costs for enforcement activities, and such reimbursement shall be made prior to September 1 (or by a different date if specified by the Division) of the fiscal year following the fiscal year in which such costs are incurred as described in CHSC Sections 116577(a)(1-2) and 116577(b).

FURTHER ENFORCEMENT ACTIONS

Section 116270, Chapter 4, Part 12, Division 104 of the CHSC authorizes the Division to: issue additional citations with assessment of penalties if a public water system continues to fail or correct a violation identified in a citation; take action to suspend or

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revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the Division; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Division. The Division does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

This citation shall apply to and be binding upon Golden Hills CSD Water System, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this citation are severable, and Golden Hills CSD Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

CIVIL PENALTIES

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the Division imposing an administrative penalty of not less than \$200 (two hundred dollars) per day as of the date of violation of any provision of this Citation.

July 17, 2015

Jaswinder S. Dhaliwal, P.E. Senior Sanitary Engineer

Drinking Water Field Operations Branch

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Certified Mail No. 7015 0920 0001 3175 8273

ATTACHMENT

Attachment A: Summary of Bacteriological Samples Collected from January

2015 - June 2015

CC: Kern County Environmental Health Services Department (w/o attachment)

Tyler Napier, Operations Manager, Golden Hills CSD (via e-mail)

JSD/dc

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Attachment A

Golden Hills CSD

1510045

Distribution System Freq: 3/W

Sample Date	Time	Location	T Coli	E Coli	F Coli	Туре	Cl2	Violation	Comment
1/1/2015		12 Samples	Α	Α		Routine	0.9-1.3		
2/1/2015		12 Samples	Α	Α		Routine	0.9- 1.4		
3/1/2015		12 Samples	Α	Α		Routine	0.90-1.30		
4/1/2015		15 Samples	Α	Α		Routine	0.8-1.2		
5/1/2015		9 Samples	Α	Α		Routine	1.0 - 1.2		
5/28/2015	9:50	21023 Santa Barbara	P	Α		Routine	1.1		
5/28/2015	10:00	21617 Golden Hills	Р	Α		Routine	1.1	MCL	Citation 03-19-15C- 009 being Issued
5/28/2015	10:15	21209 Quail Springs	P	Α		Routine	1.0		,
6/1/2015		12 Samples	Α	Α		Routine	1.0 - 1.2		
6/1/2015		Wells after Cl2: A, D, Iria	Α	Α		Other	0.36 - 1.56		
6/1/2015	12:30	21023 Santa Barbara	Α	Α		Repeat	1.00		
6/1/2015	12:45	21028 Santa Barbara	Α	Α		Repeat	1.10		
6/1/2015	12:55	21019 Santa Barbara	Α	Α		Repeat	0.94		
6/1/2015	13:05	21617 Golden Hills	Α	Α		Repeat	1.49		
6/1/2015	13:10	21621 Golden Hills	Α	Α		Repeat	1.32		
6/1/2015	13:17	21601 Golden Hills	Α	Α		Repeat	1.23		
6/1/2015	13:35	21209 Quall Springs	Α	Α		Repeat	1.24		
6/1/2015	13:42	21201 Quail Springs	Α	Α		Repeat	1.18		
6/1/2015	13:50	21212 Quail Springs	Α	Α		Repeat	0.54		

Golden Hills CSD

1510045 Source Monitoring Freq: 1/Q

Sample Date	Time	Source	T Coli	E Coli	F Coli	Violation	Comment
1/22/2015		Well A. B, C, D, F, V, S-`, S-2,	Α	Α			
6/1/2015		Well A, D, Iriart, Morris, S-2, V	Α	Α			GWR Compliance
6/18/2015	9:04	Poor Well	P	Α			Well Offline
6/24/2015		Morris, S-1, B, V, A, Fisher, D,	Α	Α			
6/24/2015	7:15	Iriart Well	Р	Α			
6/24/2015	11:16	Poor Well	Р	P			Well Offline
7/1/2015	9:10	Poor Well	Α	Α			Placed in Service